

Howard I. Rothschild (6008)
Attorney for Defendants A. Korenegay
Senior House HDFC
292 Madison Avenue
New York, New York 10017
Tel.: (212) 889-4100

Robert A. Sparer (1355)
Clifton Budd & DeMaria, LLP
Attorneys for Defendants A. Korenegay
Senior House HDFC
420 Lexington Avenue, Suite 420
New York, New York 10170
Tel.: (212) 687-7410

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
VICTOR DELGADO,	:
	:
Plaintiff,	:
	:
v.	:
A. KORENEGAY SENIOR HOUSE HDFC,	:
REALTY ADVISORY BOARD ON	:
LABOR RELATIONS, INC. and LOCAL	:
32BJ – SERVICE EMPLOYEES	:
INTERNATIONAL UNION,	:
Defendants.	:
	:
-----X	

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant will move this Court, at the United States Courthouse, located at 500 Pearl Street, New York, New York 10007 before the Honorable Denny Chin, on the 18th day of January 2008 at 9:30 a.m. or as soon thereafter as counsel may be heard for an order granting judgment to Defendant A. Korenegay Senior House HDFC and dismissing the Amended Complaint in its entirety because the Amended Complaint fails to state a claim and Plaintiff lacks standing to prosecute this action.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant relies on this Notice of Motion, Memorandum of Law in Support of Defendant A. Korenegay

Senior House HDFC's Motion to Dismiss and the Affirmation of Howard I. Rothschild in support of the motion.

PLEASE TAKE FURTHER NOTICE that you are required to respond to this motion in writing and serve opposing affidavits and answering memoranda of law on the undersigned.

Dated: December 7, 2007
New York, New York



Howard I. Rothschild (6008)
Attorney for Defendant A. Korenegay Senior House
HDFC
292 Madison Avenue
New York, New York 10017
Tel.: (212) 889-4100

CLIFTON BUDD & DeMARIA, LLP



by: Robert A. Sparer (1355)
Attorneys for A. Korenegay Senior House HDFC
420 Lexington Avenue, Suite 420
New York, New York 10170
Tel.: (212) 687-7410

To: Marino & Veneziano
Attorneys for Plaintiff
163 West 71 Street
New York, New York 10023
(212) 873-7297

Lyle D. Rowen, Esq.
Associate General Counsel,
SEIU, Local 32BJ
101 Avenue of the Americas, 19th Floor
New York, New York 10013
(212) 388-3452